

# Collecting Market Information on Services and Products

## 蒐集服務行業和消費品的市場資訊

### WHY THIS IS IMPORTANT

As Hong Kong is transformed into a service-oriented economy, consumers are in greater need for information on a wide range of services. The Consumer Council conducts opinion surveys, market surveys and price surveys to collect information on services in a continuous effort to safeguard the consumers' right to full and accurate information.

Furthermore, the Council has, for many years, collected on a regular and systematic basis the prices of supermarket products and school textbooks which are goods of necessity for consumers, in order to monitor long term trends and identify issues of concern (if any).

### WHAT WE HAVE DONE

#### Banking and Finance

##### *Credit Card Upgrades Without Consent*

The Council has called on credit card issuers to employ the 'opt-in' sales practice when marketing credit card upgrades and allow consumers ample time to make informed and well-considered choices. The Council received a total of 27 complaints in 2010 and 2011 relating to upgrade of credit cards. The dissatisfaction stemmed from the sales practice of opt-out notices required by credit card issuers: the recipients would automatically be enrolled for the new upgraded card unless notification had been sent to the company to turn down the offer. With the unilateral upgrading tactic, the consumers were forced to accept the offer if they failed to respond.

In light of these complaint cases about unsolicited credit card upgrades, the Council surveyed 20 credit card-issuing institutions with a view to studying their arrangements in relation to credit card upgrade. Of the 15 credit card issuers responded, 14 card issuers replied that they would obtain verbal or written consent of the consumers before the credit card upgrade. For the remaining card issuer, a card holder who declined the offer would have to respond within 14 working days after the notice was posted, or

### 蒐集市場資訊的重要性

香港經濟轉型以服務業為主導，消費者對於不同服務的資訊需求愈來愈大。本會經常進行各項調查，包括貨品及服務用家意見調查、市場調查及價格調查，致力提供準確和全面的資訊，讓消費者參考。

此外，本會多年來一直定期及有系統地收集超級市場貨品和教科書等必需品的價格，以便評估長遠趨勢及提出消費者關注的問題。

### 我們完成的工作

#### 銀行及財務

##### *信用卡自動「升級」*

消費者委員會建議發卡機構，向卡戶推廣信用卡「升級」時，應預先通知卡戶及採用「選擇加入」(opt-in)的安排。消委會在二零一零年及二零一一年共接獲27宗有關信用卡「升級」的投訴，投訴人主要不滿意發卡機構採用「選擇退出」(opt-out)的推廣手法，要求他們如不接受其信用卡自動「升級」，須通知發卡機構。這種單方面提升信用卡的推廣手法下，消費者會因為未有或未能及時回覆發卡機構而被當作接受有關邀約。

就「升級」信用卡推廣「不請自來」的投訴，消委會向20間發卡機構發出問卷調查，瞭解發卡機構的信用卡「升級」安排。在15間回覆問卷調查的發卡機構當中，14間發卡機構表示需要得到卡戶以口頭或書面確認，才會安排提升信用卡。其餘一間發卡機構指，若卡戶拒絕接受其信用卡自動「升級」，需在14個工作天內回覆，否則會在發函日14個工作天後，自動為卡戶發出新卡。在15間回覆的發卡機構當中，只有四間發卡機構讓卡戶同時保留舊卡和新卡。此外，有五間發卡機構表示，新卡一經確認，舊卡即時會被註銷或失效。另有五間發卡機構稱，舊卡會在指定限期後被註銷。

else the card holder will be offered an automatic upgrade. The study found that only 4 of the 15 card issuers allowed consumers to retain the current credit card and the new card while five card issuers would deactivate the current cards once the new cards were confirmed. Another five card issuers would deactivate the current cards after the specific deadline.

In addition, 14 surveyed card issuers replied that most auto-pay arrangements like public utility bills and insurance premium payment in the current card are not transferable to the new card, consumers using the auto-pay services will have to make new arrangements with merchants when switching to the new card.

When contemplating a credit card upgrade, consumers are advised to read the terms and conditions carefully and take note of the arrangements of the switchover. They should also take into consideration their own needs, as well as the higher annual fees that may come with the upgrade.

### Survey on Tax Loan

The Council conducted an annual survey on tax loans on 21 banks and financial institutions. The survey revealed that there was a downward trend in the annualised percentage rates (APR). The rates quoted for ordinary customers have come down to the range of 1.97% to 10.39% in 2012, compared with 2.31% to 10.81% in 2011. For instance, the average APR for a \$10,000 loan was down by 0.35% to 4.59%, and for a \$500,000 loan, the average APR rose by 0.45% to 3.17%. Preferential customers or customers who used specific banking services may enjoy a better rate from 1.29% to 3.81% for a \$500,000 loan compared to an APR 1.97% to 5.81% for general customers. In the survey, consumers were advised to shop around, read carefully the terms of tax loan schemes and compare the interest rate in terms of APRs for the best possible deal.

## Daily Living

### Annual Supermarket Price Survey

In the year under report, the Council continued its annual supermarket price survey on scan data of a basket of 200 items of commodities sold in three supermarket chains. Compared with 2010, the aggregate average prices of the 12 main categories increased ranging from 1.5% to 11.7% in 2011. Among them, canned food/prepackaged soup (11.7%), pre-packed bread/cakes (9.9%) and dairy products/eggs (8.2%) topped the list.

對於信用卡「升級」後，舊卡的原有功能，如自動轉帳安排，會否自動延伸至新卡，14間發卡機構表示，舊卡的大部分自動轉帳安排，如繳付電費、水費或保費等，不會自動延伸至新卡，卡戶需自行通知有關商戶重新安排。

消費者在考慮是否接受信用卡「升級」邀約時，應瞭解新卡的條款及細則，以及發卡機構處理舊卡帳戶的安排。卡戶亦應評估信用卡提升是否符合需要和所涉及的問題，包括隨着「升級」所帶來較高的年費。

### 稅務貸款調查

消費者委員會進行了年度的稅務貸款調查，共涵蓋21間銀行及財務公司的資料，並發現各稅貸計劃的實際年利率有下調的趨勢。適用於一般客戶的稅貸計劃，調查發現今年的實際年利率由最低1.97%至最高10.39%，較二零一一年2.31%至10.81%為低。以借貸額港幣10,000元計，平均實際年利率下調0.35%至4.59%。如借貸港幣500,000元，平均實際年利率上升0.45%至3.17%。「特選客戶」或選用指定銀行服務的客戶可享較佳息口，借貸港幣500,000元的實際年利率由1.29%至3.81%，較一般客戶可享介乎1.97%至5.81%的息率，相對優惠。調查亦建議消費者應貨比三家，細閱稅貸計劃的條款，並宜以不同計劃的實際年利率作比較而選擇最便宜的稅貸。

## 日常生活

### 年度超市價格調查

年內發表的超級市場價格報告，涵蓋三間大型超市200項貨品的掃描數據資料。與二零一零年比較，二零一一年全部12大類貨品的總平均售價均上升，由1.5%至11.7%，其中以「罐頭/濃湯」（11.7%）、「包裝麵包/蛋糕」（9.9%）和「奶類食品/雞蛋」（8.2%）的升幅最高。

以42組貨品計，有39組貨品的總平均售價上升，由1.2%至15%不等，其中錄得平均升幅最高的貨品分別為「罐裝魚」和「牛油」，兩組貨品均上升15%；其他錄得雙位數平均升幅的貨品還包括「雞蛋」（14.2%）、「包裝蛋糕」（13.4%）、「成人奶粉」（12.3%）、「罐

Of the 42 sub-categories, 39 rose in aggregate average prices from 1.2% to 15%. Largest increase was found in the aggregate average prices of canned fish and butter, both with an increase of 15%. Aggregate average prices of other product groups that recorded notable double-digit increases included eggs (14.2%), pre-packed cakes (13.4%), adult milk powder (12.3%), canned meat (11.9%) and toothpaste (10.3%). Only two categories of products surveyed went down in prices. They were household cleaning products (-1.9%) and wine (-0.5%).



### Textbook Surveys

This year's annual survey on textbook prices was the first one to include debundled textbooks, i.e. the student books and the teaching materials were separately priced. However, it was disappointing to find out that although the average price increase rates for debundled textbooks (0.8%) were lower than those of bundled textbooks (4.2%), no textbook had its price lowered after debundling. The survey included altogether 944 commonly used textbooks for primary or secondary classes, in which 263 (27.9%) were debundled textbooks, and 681 (72.1%) were bundled textbooks. Overall average price increases of 2.1% and 3.8% for primary textbooks and secondary textbooks respectively were recorded in this survey.

The Council also looks at parents' burden on textbooks from the expenditure angle and conducted its annual textbook expenditure survey. 50 primary schools and 39 secondary schools were included in this year's textbook expenditure survey. The average textbook expenditures were \$2,219 and \$2,186 for primary and secondary classes respectively, which increased by 2.2% and 2.5% respectively when compared with the textbook expenditures of the same schools for the previous school year.

In the Textbook Revisions Survey, the Council compared the new and old editions of six sets (altogether nine volumes) of secondary textbooks. Three sets were rated as 'should be reprinted with amendments' rather than being published as a new revised edition. It was also found that the old editions of three sets of the surveyed textbooks had been published either two or three years ago. However, as they were not included in the Education Bureau's Recommended Textbook List (RTL), they were not subject to the Bureau's rule of forbidding revision within five years of publication.

裝肉」(11.9%)和「牙膏」(10.3%)。只有兩組貨品錄得總平均售價下跌，分別為「家居清潔用品」(-1.9%)和「葡萄酒」(-0.5%)。

### 教科書調查

今年的教科書價格調查首次包括已分拆的課本(即學生用書及教材分開訂價的課本)。然而，雖然已分拆的課本售價平均升幅(0.8%)比未分拆的課本售價平均升幅(4.2%)為低，卻沒有課本在分拆後減價，情況令人失望。是次調查包括了944本小學及中學廣用教科書，其中有263本(27.9%)與教材分拆訂價，未分拆的則有681本(72.1%)。小學及中學用書的售價總平均升幅分別為2.1%及3.8%。

本會亦進行了年度購書費調查，以便從購書費的角度觀察家長在購買教科書上的負擔。今年的調查涵蓋了50間小學及39間中學。小學及中學的平均購書費分別為港幣2,219元及港幣2,186元，較參與是次調查的學校去年的購書費平均上升2.2%及2.5%。

在教科書改版調查中，本會檢視了六套(共九冊)中學教科書的新舊版本，其中三套被評為「應作重印兼修訂」，而非改版。調查又發現三套教科書的新版距上一版只有兩至三年，但由於他們不在教育局的「適用書目表」內，故不受該局「五年不改版」的規定限制。

### **Package Tour Bundled with Travel Insurance**

The Council conducted a survey on travel agents in relation to three selected package tours (Guangdong Chimelong, Beijing and Bangkok/Pattaya) with mandatory travel insurance. The Council found that out of the 18 travel agents responded to its survey, six (33%) adopted the sale practice of bundling package tour with their designated travel insurance. In a similar survey conducted in 2009, only four travel agents (24% out of 17 travel agents) found to use such trade practice.

Of the six travel agents in question, three required the compulsory purchase of the designated travel insurance in joining the tours even though the customers were already covered by their own annual travel insurance. One required customers to purchase designated travel insurance with all their tours. Its sales staff explained that the operator was using the profit from selling travel insurance to compensate the low tour fee. Another one required customers to purchase designated travel insurance when joining tours at Member's price. Three other travel agents required consumers to purchase designated travel insurance when joining some other tours, including Japan tour, designated bus tour or Express Rail Link tour (e.g. Guangdong/Guangxi bus tour, Hunan/Hubei Express Rail Link tour), tour outside of Guangdong province, designated Taipei or Thailand tour.

Regarding the bundled sale practice, the Travel Industry Council of Hong Kong said it did not have any specific guideline or code of practice on this issue. According to the Office of the Commissioner of Insurance, travel insurance is not mandatory in Hong Kong. Neither the Insurance Companies Ordinance nor the Code of Practice for the Administration of Insurance Agents issued by the Hong Kong Federation of Insurers restrict the way travel agents sell travel insurance. The Council commented that bundled sale practice would hinder the consumers in exercising their freedom of choice in selecting an insurance plan that best suits their needs. But what is worrisome is if such a practice becomes prevalent in the travel industry, it will gradually deprive consumers of their right to choose.

### **Aftersales Services of Private Cars**

A survey by the Council on new car warranties of 19 brands found that the cover usually would last for two to eight years, or 60,000 to 160,000 km, whichever comes first. Most warranties specified a warranty period for major mechanical parts such as the engine, gearbox and steering system, from two to five years, or 6,000 to 60,000 km, whichever comes first.

### **捆綁式銷售旅行團和旅遊保險**

本會收集三個由旅行社提供的較熱門目的地（廣東長隆、北京和曼谷/芭提雅）的旅行團資料，發現在18間回應調查的旅行社中，六間（33%）有將旅行團與旅遊保險以捆綁形式銷售。在二零零九年的同類調查中，17間回應調查的旅行社中，只有四間（24%）採用此種手法。

六間規定參團者購買指定旅遊保險的旅行社中，三間要求消費者（即使已購買了全年保障的旅遊保險）參加上述三個旅行團時，必須購買指定旅遊保險，否則不可報團。其中一間旅行社要求參團者，無論參加任何旅行團，也須購買指定的旅遊保險。其櫃枱職員表示，由於團費較廉宜，需從售賣旅遊保險賺取利潤。另一間旅行社要求以「會員價」報團的顧客，須購買指定的旅遊保險。此外，三間旅行社要求消費者參加其他特定旅行團時，須購買指定旅遊保險，包括日本團、指定汽車團或高鐵團（例如廣東/廣西汽車團、湖南/湖北高鐵團）、廣東省以外的旅行團、指定台北或泰國團。

香港旅遊業議會回覆本會就旅行社將旅行團和旅遊保險捆綁式銷售的查詢時，表示沒有相關的指引或守則。保險業監理處則表示，本港沒有強制規定旅客必須購買旅遊保險，《保險公司條例》和由香港保險業聯會制定的《保險代理管理守則》中，也沒有限制旅行社銷售旅遊保險的方式。本會認為，捆綁式銷售手法影響消費者的選擇權，所得的保障也未必切合其需要，值得關注的是，這類捆綁式銷售手法在旅遊業一旦蔚然成風，消費者會逐漸喪失旅遊保險真正的選擇權。

### **私家車售後服務**

本會共調查了19個汽車牌子的新車保用計劃，保用期一般由兩年至八年不等，或以行車里數計為6萬至16萬公里不等，兩者以先達者為準。大部分保用計劃會為車輛的主要機械組件如引擎、波箱及傳動軸設保用期，一般為兩年至五年不等，或首六千至六萬公里，以先達者為準。

All companies in the study required car owners to take their cars to the garage specified by the dealer for service checkup every 4 to 24 months, or 5,000 to 20,000 km, whichever comes first. Consumers failing to do so would have their car warranties voided. Of the 19 companies surveyed, six companies provided maintenance for cars under warranty with a cost on a per visit basis. The remainders (13 companies) offered maintenance plans or packages that include one to nine service visits with fees ranging from \$1,570 to \$220,000, with an effective period of one to three years.



In addition, 14 dealers surveyed stated that the warranties will be voided if they have changed or replaced the worn items at a non-dealer's garage; five would void the warranty if the car was used out of Hong Kong; and a majority (13) of dealers in the study would not provide maintenance plans and packages for cars of parallel import.

Car owners are reminded to read carefully the terms and conditions, and understand the scope of service as well as the extra fees and charges in repairs and maintenance before joining a maintenance plan. They should also obtain from the previous car owner the records of maintenance and repairs of the car at the dealer's garage if it was a used car under warranty, or the warranty could be invalidated.

### **Telecom Services - Contract End Date Differs from the Billing Cut-off Date**

A survey on 10 local telecommunications and pay TV service providers with regard to how they fixed the cut-off date for payment, and how the final bill payment was calculated, revealed that some service providers would extend the service to align with the billing cycle if the last cut-off date did not fall on the contract end date. In that case, consumers would be required to pay for the service beyond the contract period, which incurred additional and unnecessary expenses, in particular to those who had already subscribed to a new plan with another company.

調查中的所有牌子均要求車主於指定時間或行車里數內，到廠方指定的維修中心進行檢查及保養，由每4至24個月，或每五千至兩萬公里不等，以先達者為準。若不符合要求，車主便會失去車輛的保用。調查的19個汽車牌子中，六個牌子提供按次收費的維修檢查服務。餘下的13個牌子則提供保養/維修服務的計劃或套餐，服務次數由一次至九次，收費由港幣1,570元至港幣220,000元，有效期由一年至三年不等。

另外，14個牌子表明如車主曾於非指定維修中心更換消耗品會失去保用權，五個牌子表示車輛若曾在香港以外行駛，有可能會失去保用；另大部份（13個牌子）受訪代理商表示，不接受平行進口車輛參加保用機件計劃。

調查報告提醒車主應在參加保養/維修服務計劃前，詳閱服務條款及瞭解清楚服務的範圍及在維修時須支付不包括在計劃內的其他收費。若車輛在保用期內易手，買家需緊記向賣方索取車輛的保養維修紀錄，否則會失去車輛的保用。

### **電訊服務 - 合約截數日與約滿日不同**

為瞭解各電訊服務商如何釐定截數日及合約最後一期帳單的收費計算方法，本會向十間本地電訊及收費電視服務供應商發出問卷調查，發現部分電訊服務商為配合帳單周期，若客戶最後一期的截數日與合約終止日不同，電訊商會把服務延長至合約終止日之後的截數日為止。這種安排令消費者在服務合約終止後，仍須繳付延長服務的費用，特別影響到已經轉用另一服務商的新服務計劃的消費者，因他們會被要求繳付額外及不必要的服務費。

Of the 10 companies surveyed, six service providers would preset a cut-off date or dates for the billing cycle, while the remaining four would either fix the first day of the service commitment period, one day prior to or same day as the service commenced, as cut-off date for the billing cycle. Only four out of the 10 service providers surveyed would list the cut-off date in the service contract, with the remaining ones to list such date(s) in the service confirmation letter, billing statement, or in renewal contract for specific mobile voice and data services. The study also revealed that one residential broadband and six mobile voice and data service providers would extend the service for subscribers until the next cut-off date for the final payment, so that the final payment covers the extended service beyond the contract period.

Given that some service providers may delineate different arrangement and calculation method for the final bill payment due to operational reasons, the Council is of the view that such practices cannot be fully justified even if the consumers were duly informed in advance. The Council urged service providers to align the cut-off date with the contract end date, so that consumers are only required to pay for the service within the contract period. And if there is a discrepancy between the billing cycle and the contract period, the last bill payment should be charged on a pro rata basis.

## Price Survey Initiatives

During the year, the Council continued to conduct its weekly price surveys and closely monitored a basket of 40 fast consuming goods and commodities at different retail outlets, including major supermarket chains, personal care chains, drugstores, grocery stores, cosmetic stores, household goods chains, snacks outlets and specialty stores. Five fresh food items or fruits from wet markets and major supermarket chains were included in the survey for reference of consumers. Results of the surveys were enhanced with various discount analysis. Furthermore, observable trends found among outlets and pricing abnormalities were analysed.

The Council has been collecting and displaying daily prices of products from four on-line food stores/supermarkets. The efficiency of the Council's Supermarket Price Watch website has been increased allowing the number of items monitored by the website to be raised from about 1,300 in February 2012 to about 1,500 in February 2013.

十間服務供應商中，有六間為個別服務訂有若干既定的截數日，餘下四間的服務截數日則訂於服務承諾使用期開始日，或服務生效日計算隨後每月的前一日或同一天。十間服務供應商當中，只有四間服務供應商表示會在有關服務合約列出截數日。餘下的供應商只會在服務確認書、月結單，或其流動話音及數據服務用戶續約時所簽的合約上列出截數日。調查又發現一間服務供應商提供的家居寬頻服務及六間服務供應商提供的流動電話話音/數據服務，在截數日與合約終止日期不同的情況下，將用戶的服務延長至合約期滿日之後的截數日為止，即最後一期帳單涵蓋延長服務的費用。

部分服務供應商因應其內部運作計算最後一期付款，本會認為，就算消費者在事前已獲知計帳方式，這種延長服務並收費的安排，並非完全合理。服務供應商應統一計算方法，令截數日與用戶的合約/服務終止日一致，即用戶只需在合約期內為服務支付費用。若截數日與合約/服務終止日無法統一，服務供應商應根據合約的終止日，按比例計算最後一期的費用。

## 全方位價格

本會繼續進行「每週精明格價」及調查一籃子共40件日常消費商品於不同零售店的售價，包括大型連鎖超級市場、個人護理連鎖店、藥房、獨立超市、雜貨店、化妝品連鎖店、家品店、零食店和地方食品專門店等。調查還包括五項在超市及街市有售的新鮮食品或水果的價格，給消費者參考。報告除比較區內不同零售店的貨品售價，還分析不同優惠和價格異常等問題。

本會繼續每天收集和展示來自四間網上食品店/超市部分貨品的價格。本會將「網上價格一覽通」網站的效率提高，從而令監測貨品數目由二零一二年二月的約1,300件增加至二零一三年二月的約1,500件。